IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Crl.Rev.Pet.No. 948 of 1999()

CRA.293/1997 of ADDL. SESSIONS COURT, THRISSUR DT.4.10.1999.
CC.217/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KUNNAMKULAM

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REVN. PETITIONER: APPELLANT/ ACCUSED

PURUSHOTHAMAN, S/O.THEYYUNNI,
CHOZHIYATTAYIL THIYYATH HOUSE,
PUNNAYURKULAM AMSOM, CHERAYI DESOM,
THRISSUR DISTRICT.

BY ADV. SRI.P.VIJAYA BHANU

RESPONDENT: RESPONDENT / COMPLAINANT

STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR, HIGH COURT
OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.DILIP

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP. NO.948/1999

ORDER ON CRL. MP. 4384/1999 IN CRL.RP. 948/1999

DISMISSED

27.06.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.S. TO JUDGE

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K.R. UDAYABHANU, J.

Crl. R.P. No.948 of 1999

Dated 27th June, 2007

ORDER

The revision petitioner stands convicted for the offences under sections 341 and 323 IPC and sentenced to pay a fine of Rs.250/- for the offence under section 341 IPC and in default to undergo simple imprisonment for 7 days. He is also sentenced to pay a fine of Rs.1000/- for the offence under section 323 IPC and in default to undergo simple imprisonment for 3 months. Out of the fine amount if realised, Rs.1000/- is to be given to PW-1 as compensation.

2. The prosecution case is that on 28-5-93 at 9.30 a.m the accused caught hold of PW-1, the defacto complainant, who is his estranged wife and fisted her and kicked her. The evidence adduced in the matter consisted of the testimony of PWs 1 to 7 and Exts.P1 to P4.

3. PW-4 doctor has proved Ext.P3 wound certificate.

The testimony of PW-2, the son of PW-1 and the accused, corroborates the evidence of PW-1/de facto complainant. No contradiction in the evidence of PW-s 1 and 2 with respect to the incident with their previous statements have been brought out.

In the circumstances, I find no reason to interfere in the concurrent findings of the courts below. The conviction is confirmed. The Crl.R P is dismissed.

K.R.UDAYABHANU,
JUDGE.

Kvm/-

K.R.UDAYABHANU, J.

CRL.R.P.948 OF 1999

ORDER

27-6-2007